

COMMONWEALTH OF MASSACHUSETTS  
DEPARTMENT OF TELECOMMUNICATIONS AND ENERGY

	)	
Investigation By The Department of	)	
Telecommunications and Energy On Its	)	
Own Motion, Pursuant to G.L. c. 159	)	D.T.E. 02-8
§§12 and 16 Into The Collocation Security	)	
Policies of Verizon New England, Inc.	)	
D/b/a Verizon Massachusetts	)	
	)	

PETITION TO INTERVENE OF NEON OPTICA, INC.

Pursuant to 220 CMR § 1.03 of the regulations of the Massachusetts Department of Telecommunications and Energy (“Department”), NEON Optica Inc. (“NEON”) respectfully submits this Petition for Leave to Intervene (“Petition”) in the above-captioned proceeding. In support of this Petition, NEON states the following:

1. NEON is a private telecommunications carrier which leases collocation facilities from Verizon Massachusetts (“Verizon MA”).
2. The Department, on its own motion, has opened an investigation into collocation security in Massachusetts. This investigation could impact the terms and conditions under which NEON leases collocation facilities from Verizon MA.
3. As a purchaser of Verizon MA’s collocation services, NEON has a direct and substantial interest in the outcome of this proceeding.
4. NEON’s interest in this matter cannot be adequately addressed or represented by any other party. Consequently, NEON’s participation in this proceeding will help ensure the development of a comprehensive record, while affording NEON the opportunity to protect its interests.

5. The extent of NEON's participation in this docket will depend upon the scope of the proceeding as determined by the Department and the parties to this proceeding.

Depending upon the schedule and specific issues in this proceeding, NEON may file comments and/or testimony, as well as discovery responses, briefs, reply briefs and other pleadings in this investigation.

6. All correspondence and other documents with respect to this matter should be directed to the following:

Stephen A. Bogiages, Esq.  
General Counsel  
NEON Optica, Inc.  
2200 West Park Drive  
Suite 200  
Westborough, MA 01580  
(508) 616-7800 - telephone  
(508) 616-7894 - facsimile  
sbogiages@neoninc.com

7. NEON requests the Department to grant NEON's Petition.

Respectfully submitted,

NEON Optica Inc.,

---

Stephen A. Bogiages, Esq.  
General Counsel  
NEON Optica, Inc.  
2200 West Park Drive  
Suite 200  
Westborough, MA 01580  
(508) 616-7800  
sbogiages@neoninc.com

Dated: February 11, 2002